

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Jami Siraj Choudhury,

Civil No. 06-241 (DWF/JSM)

Petitioner,

v.

**ORDER**

R.L. Morrison, Warden; Duluth Federal  
Prison Camp; and The Federal Bureau of  
Prisons,

Respondent.

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Jami Siraj Choudhury, *Pro Se*, Petitioner.

Christian S. Wilton, Assistant United States, United States Attorney's Office, counsel for  
Respondents.

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This matter is before the Court upon Respondent's objections to Magistrate Judge Janie S. Mayeron's Report and Recommendation dated March 2, 2006, recommending that the Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 be granted and that Respondent be directed to immediately reconsider the date when Petitioner should be assigned to a CCC in light of the criteria set forth in 18 U.S.C. § 3621(b) and without regard to 28 C.F.R. §§ 570.20 and .21.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.1(c). The Court has also reviewed other rulings in this District, including *Hayek*

*v. Caraway*, Civ. No. 05-1424 (PAM/JSM) (D. Minn. Dec. 7, 2005); *see also Young v. Caraway*, Civ. No. 05-1476 (JNE/JJG) (D. Minn. Mar. 7, 2006); *Stonecipher v. Caraway*, Civ. No. 05-2161 (JRT/JSM) (D. Minn. Jan. 20, 2006); *Ragsdale v. Caraway*, Civ. No. 05-1596 (MJD/JJG) (D. Minn. Jan. 6, 2006). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Respondent's objections.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

### **ORDER**

1. Respondent Warden R. L. Morrison's objections (Doc. No. 11) to Magistrate Judge Janie S. Mayeron's Report and Recommendation dated March 2, 2006, are **DENIED**.

2. Magistrate Judge Janie S. Mayeron's Report and Recommendation dated March 2, 2006 (Doc. No. 10), is **ADOPTED**.

3. The Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, (Doc. No. 1), is **GRANTED**, and Respondent is directed to immediately reconsider the date when Petitioner should be assigned to a CCC in light of the criteria set forth in 18 U.S.C. § 3621(b) and without regard to 28 C.F.R. §§ 570.20 and .21. Respondent's decision shall be filed with the Court within twenty-one (21) days of the filing of that Order.

Dated: March 24, 2006

s/Donovan W. Frank

DONOVAN W. FRANK

Judge of United States District Court